

Remarks:

1. The application has been amended to include the filing number of the related application referenced in the first paragraph.
2. The Examiner's objection to the duplicate paragraphs has been remedied by deleting one of the duplicate paragraphs from the application.
3. The Examiner's objection to claim 16 has been overcome by making the suggested correction.
4. Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With regards to claim one, applicants have deleted the limitation of "a magnet fixedly secured to said anchor". This clarifies claim 1 and is in alignment with the Examiner's assumptive examination.
5. Claims 1, 2, 4, 8, 16-20, 22, and 28 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,419,199 B1 to Skofljanec et al.
 - a. Regarding claim 1, applicants respectfully point out that Skofljanec does not teach a flux deflector. The material of slider member 13 of Skofljanec is nowhere specified, nor is the property of being able to alter flux patterns. Slider member 13 does have a magnet attached, but the operating description of the disclosed invention indicates that it is the distance of the magnet from the sensor that is being sensed in Skofljanec, not a change in the flux patterns due to the motion of a flux deflector as taught in the instant disclosure. Also, claim 1 specifically states that the magnet is fixed to the

anchor, not movable. For at least these reasons, applicants contend that claim 1 is patentably distinguishable over Skofljanec and is in condition for allowance.

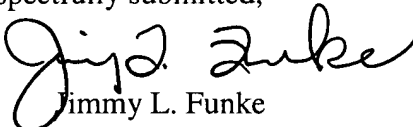
- b. Claims 2-15 all depend either directly or indirectly from claim 1. Therefore, for at least the reasons cited above, applicants contend that claims 2-15 are in condition for allowance.
 - c. Regarding claims 16-18, claims 16-18 have been cancelled.
 - d. Regarding claim 19, Skofljanec does not teach a pivotable member as disclosed in the instant application. Applicants have amended claim 19 and several subsequent dependent claims to point out that the member of the instant invention is not just movable, but also pivotable (see figures 5 & 6 of instant application). Applicants contend that this feature is patentably distinguishable over the prior art and that this claim is now in condition for allowance.
 - e. Regarding claims 20, 22, and 28, as all of these claims depend directly or indirectly from claim 19, applicants contend that for at least the reasons cited above in point 5(e), these claims are in condition for allowance.
6. Claims 16-24 and 27-28 are rejected under 25 U.S.C 102(e) as being anticipated by Haas et al. (6,831,537).
- a. Regarding claims 16-18, these claims have been cancelled.
 - b. Regarding claim 19, Haas does not disclose or teach a magnet disposed on said detection end of said pivotable member. The disclosure of Haas (Col. 3, lines 24-29 and lines 37-47) clearly teaches that the magnet is not located on the pivotable member but is fixed to the housing. The structure of the instant invention is

- considerably simpler than Haas and applicants contend that mounting the magnet on the pivotable member patentably distinguishes the instant invention over Haas et al.
- c. Regarding claims 20-24 and 27-28, as these claims depend directly or indirectly from claim 19, for at least the reasons given in 6(b) above, applicants contend that these claims are in condition for allowance.
- d. Claims 25 and 26 were already indicated to have allowable subject matter.

Applicants appreciate the Examiner's thorough examination of the instant application. Applicants believe that the application is now in condition for allowance and look forward to a timely Notice of Allowance.

Although no fees are believed due, the Commissioner is authorized to charge our Deposit Account No. 50-0831 for any fees or credit the account for any overpayment.

Respectfully submitted,

By 
Jimmy L. Funke
Attorney
Telephone (248) 813-1214
Reg. No. 34166

Date: 21-NOV-2005